

## DRAFT MINUTES

### JOINT MEETING of the STATE REVIEW BOARD and HISTORIC RESOURCES BOARD

September 18, 2014, 10:00 a.m.  
215 S. Wilton Road, Richmond, VA 23226

#### State Review Board Members Present

Dr. Elizabeth Moore, Chair  
Dr. Laurant Lee, Vice-Chair  
Joseph D. Lahendro  
Dr. Gabrielle M. Lanier  
Dr. Carl Lounsbury  
John Salmon

#### Historic Resources Board Members Present

Robert Johnson, Vice-Chair  
William Garner  
Ashley Atkins-Spivey  
Drew Gruber  
H. Edward “Chip” Mann  
Margaret T. Peters

#### Department of Historic Resources Staff Present

Julie Langan, Director  
David Edwards  
Melina Bezirdjian  
Michael Pulice  
Pam Schenian

Stephanie Williams, Deputy Director  
Marc Wagner  
Lena Sweeten McDonald  
Jennifer Pullen

**Guests present** (from sign-in sheet) – Carol Hopper (Unitarian Universalist Church of Arlington); Rhea Hale (Farmer’s Rest); Rev. Linda Olson Peebles (Unitarian Universalist Church of Arlington); Marcus Pollard (Security Storage and Safe Deposit Company Warehouse); John and Margaret Rust (Murray Hill)

**Guests from State Agencies** – Catherine Ayres (Office of the Attorney General); Sara Powers (Office of the Attorney General); Ryan Ramirez (Department of Planning and Budget)

Director Julie Langan introduced Director Keith MacKay of the Wilton House Museum, host of today’s meeting. Mr. MacKay noted that this year is the 80<sup>th</sup> anniversary of the museum’s opening, and mentioned upcoming events at the museum include “A Georgian Folly for the 21<sup>st</sup> Century” and a holiday open house.

#### State Review Board (SRB)

Chair Elizabeth Moore called the SRB meeting to order at 10:09 a.m., welcomed everyone in attendance, and reminded guests to sign in for the meeting. Chair Moore explained the role of the SRB and the process of designation, and invited each board member to introduce themselves. She then presented the June 2014 meeting minutes. With a motion from Dr. Lanier and a second from Vice-Chair, the SRB voted unanimously to approve the minutes.

#### Historic Resources Board (HRB)

Vice-Chair Robert Johnson called the HRB meeting to order and welcomed everyone in attendance. He explained the role of the HRB and asked each member to introduce themselves.

Vice-Chair Johnson explained that the HRB bylaws call for the Chair and Vice-Chair to serve a one-year term. Previous Chair Jim Rich retired at the last meeting of the HRB, thus necessitating election of new officers. Mr. Garner nominated Vice-Chair Johnson as Chair of the HRB. Mr. Mann seconded the motion. Vice-Chair Johnson asked for other nominations. None were made. Vice-Chair Johnson called for a vote. The HRB members voted unanimously to elect Vice-Chair Johnson to serve as Chair. Mr. Mann nominated Mr. Garner to serve as Vice-Chair of the HRB. Mr. Gruber seconded. Chair Johnson asked for other nominations. None were made. The HRB voted unanimously to elect Mr. Garner Vice-Chair.

The newly elected Chair Johnson then presented the June 2014 meeting minutes. With a motion from Mr. Mann and a second from Ms. Peters, the HRB voted unanimously to approve the minutes.

#### Director’s Report (DHR)

Director Langan welcomed the new members of the HRB, Margaret Peters and Ashley Atkins-Spivey, and new members of the SRB, John Salmon and Carl Lounsbury. She welcomed Catherine Ayres and Sara Powers, representing the Office of the Attorney General. She welcomed Ryan Ramirez, Budget Analyst with the Department of Planning and Budget. Director Langan shared the following highlights at DHR since the June meeting. DHR has had a lot of focus on hiring staff. All four recruited positions have been filled. Jim Hare has been hired as Director of the Division of Survey and Register, whose duties will include oversight of the Register and Highway Marker programs. Jessica Ugarte has been hired as a Historic Architect with the Tax Credit program. Aubrey Von Linden will join the NRPO staff as Architectural Historian in October. Dr. Jennifer Loux has been hired as the Highway Marker Coordinator.

DHR has been asked to submit budget cuts to the administration, for 5% this year and an additional 2% next year, making a cumulative total of 7% in cuts. The cuts have been approved by Secretary of National Resources Molly Ward, and are being made to salary funds from vacant positions. This allows all current staff to be retained. The agency's overall budget will be reviewed in greater detail at the Board Training in October 2014. Additionally, DHR's Civil War battlefield funding has been placed on hold until the final state budget has been resolved.

The Ashburn Historic District nomination was presented at the June meeting, at which questions arose about property owners and votes in opposition to the historic district. The matter was referred to the Office of Attorney General for review. Issues considered were the number of owners within the district, dates of recordation for ownership changes, and sufficiency of DHR's notification procedures. The nomination process was found to be complete, and the historic district is listed in the Virginia Landmarks Register, and has been forwarded to the National Park Service for listing in the National Register. Secretary Ward has received approval from the Governor's office to address some deficiencies in DHR's regulations for notifications and the objection process for historic district nominations. Draft revisions to the regulations are planned to be presented to the Boards at the December meeting.

Changes to the historic tax credit regulations are still being reviewed by various agencies. The Morgan's Ford bridge replacement project continues. Negotiations continue for finalizing a Memorandum of Agreement. The first consulting parties meeting for the electrical transmission line across the James River will take place next week. Public opposition to the project is high. This is a project under the Section 106 Review process, and DHR will remain closely involved in the project. A proposed project for the Charlottesville Courthouse has generated controversy and DHR is involved in negotiations for work. In the Tidewater region, a community group has formed to oppose rezoning of Talbot Hall and is pushing to have the decision placed before the public as a referendum. Norfolk City officials are engaged with negotiations with the group and DHR is participating in an advisory role.

DHR is in the midst of preparing a new exhibit about Werowocomoco at the Virginia Historical Society within the new Weinstein Education Center. DHR also has been working on a publication with the National Park Service about Werowocomoco, and has partnered with the US Fish & Wildlife Service on a successful grant application for work along the shoreline at Werowocomoco. DHR has submitted a grant application to the National Park Service for funds through the Under-Represented Communities program, and proposes to nominate a selection of historic properties associated with Virginia tribes. Director Langan introduced the new highway marker publication for the War of 1812 markers. Mr. Garner asked if Fort Monroe staff assisted with the project. Director Langan said the publication was the work of DHR staff, and our staff partnered with Fort Monroe staff on the recent commemoration for Fort Monroe's anniversary.

DHR continues the comprehensive planning process, which will be highlighted at the Preservation Virginia annual conference in October. DHR continues to seek projects for Hurricane Sandy grant funds within the 22 localities eligible for the funds. Eligible projects include repair and rehabilitation of damaged resources as well as emergency preparedness projects. Numerous highway marker dedications are planned to take place through the rest of this year. Board members are invited to attend any dedications they choose. A cemetery preservation workshop will take place in early October. On October 23-24, DHR and Richard Bland College, NPS, and the Civil War Trust will present a workshop as part of our project for organizing friends groups for Civil War battlefields in Virginia. On October 30, Board training will take place in Ashland.

Director Langan introduced Deputy Director Williams to discuss the 2015-2021 statewide comprehensive plan and DHR's draft annual work plan.

### **DHR Work Plan**

Deputy Director Williams began with the 2015-2021 Comprehensive Plan and explained the public participation phase of the planning process. Public forums, an online survey, and meetings with stakeholders such as easement property owners, local governments, historical societies, and other interested parties have taken place. DHR has achieved 100% participation in the survey from all Virginia localities. Findings to date demonstrate that historic preservation ranks second only to education as a priority for our stakeholders, because it leaves a legacy for future generations. Rural landscapes and battlefields are considered the most threatened historic resource type, due to development pressure. Increased funding and financial incentives have been advocated to address these concerns. Six forums were held statewide. Funding, education (of the public, elected officials, and students regarding preservation), and rebranding of historic preservation emerged as top priorities. Stakeholder interviews are planned for 20-30 people, and a plenary and break-out session about the comprehensive plan are scheduled for the Virginia Preservation conference. DHR will convene a Steering Committee meeting in November/December to begin preparing a draft of the new comprehensive plan completed in early spring. It will be reviewed by the National Park Service. The new comprehensive plan will go into effect on October 1, 2015.

Deputy Director Williams next discussed DHR's annual work plan. She summarized DHR's goals to integrate historic resources as a viable part of the environment for communities, organizations and agencies; to practice good stewardship of information, records, and artifacts that we hold in trust for the Commonwealth; and to educate the public about the value of historic resources in education and economic success. Mr. Mann asked when the work plan takes effect, and Director Langan said it will be October 1, 2014.

Chair Moore asked the SRB for comments regarding the proposed work plan. No comments were made. With a motion from Vice-Chair Lee and a second from Mr. Lahendro, the SRB voted unanimously to approve the work plan as presented.

Chair Johnson asked if the budget cuts will affect the work plan's goals. Director Langan said DHR's staff resources will not be diminished which will allow us to continue our current level of activity. With a motion from Vice-Chair Garner and a second from Mr. Gruber, the HRB voted unanimously to approve the work plan as presented.

### **2015 Meeting Schedule**

Director Langan presented the proposed meeting schedule for 2015. Chair Moore asked for questions about the schedule. None were made. With a motion from Vice-Chair Lee and a second from Mr. Lahendro, the SRB voted unanimously to approve the schedule as presented.

Chair Johnson asked for questions about the proposed meeting schedule for 2015. None were made. With a motion from Mr. Gruber and a second from Vice-Chair Garner, the HRB voted unanimously to approve the schedule as presented.

### **NOMINATIONS**

#### **Marc Wagner presented the following nomination:**

1. Farmer's Rest, Henrico County, #043-0041, Criterion C
2. Fry's Spring Historic District, City of Charlottesville, #104-5084, Criteria A and C
3. H. R. Schenkel Inc./Doyle Florist Inc. Greenhouse Range, City of Lynchburg, #118-5294, Criteria A and C

#### **Comments made:**

Ms. Peters recused herself from discussion of the Fry's Spring Historic District as she had co-authored the nomination.

Mr. Mann asked about the commercial development at the northern end of the district and why it wasn't included. Mr. Wagner said ending the district at the railroad line made more sense due to the recent replacement of a 1920s bridge, which makes a clear break between the commercial and residential areas. Mr. Mann asked if the commercial area existed during the 1920s. Mr. Wagner said yes, but prior to that, it was a residential area. Mr. Mann asked if the natural boundary was the railroad and Mr. Wagner said it was.

Mr. Garner asked about a local historic overlay of the district, and Mr. Wagner said the local government does not plan this. The city's preservation planner said the city usually waits for local residents to ask for local designation before beginning the process. Mr. Garner asked if any objections had been received to the district other than the one in Board members' files. Mr. Wagner said no.

Mr. Garner asked if the Lynchburg Grows organization grows roses because of the historic association with Mr. Schenkel's growing. Mr. Wagner said yes. Ms. Peters asked if clarification needed to be made about the greenhouses not having been moved; they were assembled at an off-site location during fabrications, and then reassembled at their permanent location. This is not needed as prefabricated buildings such as the greenhouses are typically assembled at the manufacturing facility before being partially disassembled to allow for transport; modular houses, mobile homes, and bridges are other examples of this type of manufacturing process.

Ms. Rhea Hale, owner of Farmer's Rest, asked about the staff presentation's use of pre-renovation photos for the property, and noted that extensive rehabilitation has taken place since some photos were taken.

Chair Moore asked the SRB for questions about the nomination. None were made. With a move from Vice-Chair Lee and a second from Mr. Lahendro, the SRB voted unanimously to approve the nominations as presented.

Chair Johnson noted that the HRB would vote on nominations 1 and 3, above, so that Ms. Peters could vote on them as well. With a motion from Mr. Garner and a second from Mr. Mann, the HRB voted unanimously to approve both nominations as presented. With a motion from Mr. Mann and a second from Mr. Garner, the HRB voted unanimously to approve nomination 2 (Fry's Spring Historic District) as presented, with Ms. Peters recusing herself from the vote.

#### **Ms. Lori Kimball presented the following nomination for the Northern Region:**

1. \*\*Murray Hill, Loudoun County, #053-5783, Criterion C.....presented by Lori Kimball

#### **Ms. Kate Ritson presented the following nomination for the Northern Region:**

**Comments made:**

Ms. Kimball introduced the Murray Hill property owners, John and Margaret Rust; Mr. Rust's grandfather built the primary dwelling. Chair Moore asked about the island in the river near Murray Hill. Ms. Kimball said it is Harrison's Island, and was integral to the Battle of Ball's Bluff during the Civil War.

Ms. Ritson welcomed several representatives from the Unitarian Universalist Church of Arlington, including Carol Hopper and the Reverend Linda Olsen Peebles and her daughter.

Chair Moore welcomed the UUCA church members, and Mr. and Mrs. Rust, and invited them to comment. Mr. Rust thanked everyone for participating in the nomination process. The Reverend Peebles said the UUCA congregation is very pleased about the church's nomination.

Chair Moore asked the SRB for comments about the nominations. None were made. Chair Moore asked the SRB for a motion to approve the nominations as presented. With a motion from Mr. Lahendro and a second from Vice-Chair Lee, the SRB voted unanimously to approve the nominations.

Chair Johnson asked the HRB for comments about the nominations. None were made. Chair Johnson asked the HRB for a motion to approve the nominations as presented. With a motion from Vice-Chair Garner and a second from Mr. Mann, the SRB voted unanimously to approve the nominations.

**Mr. Pulice presented the following nomination for the Western Region:**

1. Barracks No. 1, Virginia Polytechnic Institute, Town of Blacksburg, Montgomery County, #150-0100-0002, Criteria A and C

**Comments made:**

Chair Moore thanked the DHR staff for working with the university to see this nomination presented.

Chair Moore asked the SRB for comments about the nomination. None were made. Chair Moore asked the SRB for a motion to approve the nomination as presented. With a motion from Mr. Lahendro and a second from Vice-Chair Lee, the SRB voted unanimously to approve the nomination.

Chair Johnson asked the HRB for comments about the nomination. None were made. Chair Johnson asked the HRB for a motion to approve the nomination as presented. With a motion from Vice-Chair Garner and a second from Mr. Gruber, the HRB voted unanimously to approve the nomination.

**Ms. Schenian presented the following nomination for the Tidewater Region:**

1. Security Storage and Safe Deposit Company, City of Norfolk, #122-0901, Criterion A

**Comments made:**

Chair Moore invited comments from the public. None were made.

Chair Moore asked the SRB for comments about the nomination. Mr. Lahendro asked if the window openings would be restored during the adaptive reuse project. Mr. Pollard noted that the project will be using historic tax credits, and drawings of the restored openings have been provided to DHR. Ms. Schenian said the schematics of the original sash also are on file.

Chair Johnson asked the HRB for questions about the nomination. Mr. Garner asked if both Criteria A and C are applicable to the property. Ms. Schenian said yes.

Chair Moore asked the SRB for a motion to approve the nomination as presented. With a motion from Vice-Chair Lee and a second from Mr. Salmon, the SRB voted unanimously to approve the nomination.

Chair Johnson asked the HRB for a motion to approve the nomination as presented. With a motion from Mr. Mann and a second from Ms. Peters, the HRB voted unanimously to approve the nomination.

**The joint meeting adjourned at 12:11 p.m.**

## AFTERNOON SESSION

### HISTORIC RESOURCES BOARD

#### **Historic Resources Board Members Present**

Chair Robert Johnson  
Vice-Chair William Garner  
Ashley Atkins-Spivey  
Drew Gruber  
H. Edward “Chip” Mann  
Margaret Peters

#### **Department of Historic Resources Staff Present**

Julie Langan  
Stephanie Williams  
Jen Pullen  
Elizabeth Tune  
Wendy Musumeci  
Gillian Bearns  
Jen Loux  
Megan Melinat  
Joanna Wilson Green

#### **Guests:**

Catherine Ayers  
Sara Powers  
Ryan Ramirez

Chair Johnson called the meeting to order at 12:45 p.m.

#### **Call to Order..... Bob Johnson, Vice-Chair, Board of Historic Resources**

Chair Johnson explained the role of the Historic Resources Board and asked each member to introduce themselves. B. Johnson, Chair, W. Garner, Vice-Chair, A. Atkins-Spivey, D. Gruber, C. Mann, and M. Peters composed the Historic Resources Board (the “Board”).

#### **Intent to Transfer Non-Native American Human Remains to the National Museum of Natural History**

J. Wilson Green, Easement and Stewardship Archaeologist, briefed the Board on the Department of Historic Resources’ (“DHR”) intent to transfer certain non-Native American human remains to the Smithsonian/National Museum of Natural History (“National Museum”). Copies of a briefing document on this proposal were provided to Board members during the meeting. J. Wilson Green explained that, at the request of the National Museum, DHR will pursue a cooperative agreement transferring legal possession of certain non-Native American human remains to the National Museum for curation and study. Forty-four complete or partial sets of skeletal remains of 18<sup>th</sup> century origin would be subject to this agreement. All were archaeologically recovered prior to enactment of VA Code §10.1-2305 (archaeological removal of human remains). Dr. Douglas Owsley, chief anthropologist for the National Museum, initiated the request.

J. Wilson Green noted that the transfer would be permanent and that DHR sought to make the transfer for the following reasons: 1) the National Museum has the capacity to safely and appropriately curate human remains; 2) the National Museum has the staff and funding to pursue research that will be to the benefit of the general public; and 3) transfer of these remains was consistent with DHR’s intent to repatriate or otherwise convey all human remains in its physical or legal possession to the appropriate parties. J. Wilson Green explained that DHR had consulted with the Office of the Attorney General and placed a notice on the agency’s website informing the public about the transfer and requesting comment. J. Wilson Green indicated that the Board was not being asked to formally approve the proposal at this meeting. When the Board reconvenes in December staff will provide a synopsis of all comments received as a result of the public notification, and request a final decision from the Board at that time.

Vice-Chair Garner asked how DHR acquired the remains and whether the agency has documents that irrevocably conveyed these remains to the Commonwealth. J. Wilson Green responded that DHR does have legal possession of the remains and associated documentation. Vice-Chair Garner asked if there is a reversion clause. J. Wilson Green responded that there is not and DHR has the legal documentation. A. Atkins-Spivey asked if there has been active collaboration with the African-American community in Williamsburg with regard to the remains. J. Wilson Green responded that staff only recently discovered that these particular remains are believed to be of African origin, and that DHR but would pursue consultation between now and December. C. Mann observed that the Board should feel good that the remains will be in the care of Dr. Owsley as he has an excellent reputation and will help facilitate more knowledge about the remains.

## **HIGHWAY MARKERS.....presented by Jen Loux**

J. Loux, Highway Marker Historian, introduced herself to the Board and presented nine Highway Markers. J. Loux requested that the Board vote on all the proposed markers as a group at the end of her presentation.

### **Sponsor Markers/Diversity**

#### **1. Free State**

**Sponsor:** County of Albemarle

**Locality:** Albemarle County

**Proposed Location:** Corner of Belvedere Boulevard (Route 651) and Free State Road

### **Sponsor Markers**

#### **1. 1889 Thaxton Train Wreck**

**Sponsor:** Allan Jones Foundation

**Locality:** Bedford County

**Proposed Location:** near 5183 W. Lynchburg Salem Turnpike (U.S. Route 460/221), Thaxton

#### **2. Bright-Leaf Tobacco Barns**

**Sponsor:** Preservation Virginia

**Locality:** Pittsylvania County

**Proposed Location:** 10432 Route 29, Blairs, next to a restored bright-leaf tobacco barn

#### **3. Fair Oaks**

**Sponsor:** Georgia Ravitz and Peter Bassler

**Locality:** Loudoun County

**Proposed Location:** 23718 New Mountain Road, Aldie

#### **4. Chatmoss**

**Sponsor:** Jacob Ewell Frith II, Chatmoss Country Club

**Locality:** Martinsville, Henry County

**Proposed Location:** 550 Mt. Olivet Road, Martinsville

#### **5. St. John's Protestant Episcopal Church**

**Sponsor:** Lunenburg County Historical Society

**Locality:** Lunenburg County

**Proposed Location:** Intersection of SR 138, South Hill Road, and SR 612, St. John's Church Road (or intersection of Brickland Road and South Hill Road)

#### **6. French Troops at Jamestown**

**Sponsor:** James City County Historical Commission

**Locality:** James City County

**Proposed Location:** Jamestown Road (Route 31), 0.35 miles from Jamestown Ferry

#### **7. Lafayette's Visit**

**Sponsor:** James City County Historical Commission

**Locality:** James City County

**Proposed Location:** Jamestown Road (Route 31), 0.35 miles from Jamestown Ferry

### **TEA-Funded Marker (Diversity)**

#### **1. Fort Albion**

**Sponsor:** DHR

**Locality:** Tangier Island, Accomack County

**Proposed Location:** TBD

### **Comments:**

Vice-Chair Garner asked where the Fort Albion marker would be located because the site was now underwater. J. Loux explained that the location was yet to be determined but it would likely be placed in the Town of Tangier. Vice-Chair Garner asked who sponsored the

marker. Director Langan responded that the motivation for the marker stemmed from a proposed visit by the Governor, which has been postponed until Spring 2015. Director Langan noted that DHR was the sponsor.

M. Peters recommended the following: (1). Item #1 Free State indicate census records under the sources cited section; and (2). Item #4 Chatmoose include a brief citation under sources cited about the Capital Disaster as Samuel Hairston died during that event.

Chair Johnson explained that the Board would be voting as a block for all markers and asked for a motion.

C. Mann made a motion to approve all the markers as presented, which motion was seconded by Vice-Chair Garner. The motion was approved unanimously.

## EASEMENTS

W. Musumeci, Easement Program Coordinator, introduced herself to the Board and presented the following five new easement offers. W. Musumeci requested that the Board vote individually for each item.

### **1. Kenmore Farm, Amherst County** **Property Owner:** Kity Associates **Acres:** 50

Donor owns a larger parcel containing 136 acres but is only proposing to ease 50 acres at this time. The property contains a collection of historic buildings and structures related to its history as a residence, farm, and preparatory school. The landowner would like to retain the right to utilize water associated with an existing spring on the property for both domestic and commercial purposes. This could include extraction and piping of water. Kenmore Farm was found eligible for listing in the Virginia Landmarks Register and National Register of Historic Places under Criterion A and C by the Virginia State Review Board on June 19, 2014. It is expected to be presented to the Board for formal listing at the December 2014 meeting.

Vice-Chair Garner asked about the provision for the commercial use of water on the land. W. Musumeci confirmed that the landowner wants the ability to pipe the water out, but not commercially bottle it on site. W. Musumeci explained that staff had not previously encountered a request for this specific use and the language for this easement had not yet been fully negotiated.

C. Ayers inquired about the discrepancy between the plat boundaries and easement boundaries on the aerial image. G. Bearns responded that there is often a difference between the metes and bounds survey and the County GIS, which can be less acreage. W. Musumeci noted that the plat of survey recently submitted was the most accurate.

Vice-Chair Garner asked about the owner (Kity Associates) and why only 50 acres were proposed to be eased. W. Musumeci responded that the main member of Kity Associates was a descendent of Henry Aubrey Strode who started the preparatory school on the property and that the primary motivation was to protect the historic buildings and structures and archaeological sites on the property first.

M. Peters inquired if the Board could hold open space beyond the immediate area surrounding the historic buildings. W. Musumeci replied yes, if the property was within the boundaries for the Virginia Landmarks Register listing.

Chair Johnson asked if the easement will restrict future alterations and demolition of the historic buildings. W. Musumeci replied yes.

Vice-Chair Garner inquired if the Board could ask for additional information about the water rights without impacting the donative timeline. W. Musumeci explained that the property had to be listed in the Virginia landmarks Register before recordation of the easement and that the property would be on the December 2014 Board agenda to be listed. W. Musumeci observed that staff could continue to work on the easement language between now and then and bring the additional information back to the Board at that time. She explained that it was important to the landowner to retain the reserved rights related to use of the water. G. Bearns noted that we have allowed agricultural commercial activities with review and approval and that the existing template language for irrigation systems could be adapted for this situation. W. Musumeci observed that the easement prohibits industrial farm activities but not commercial uses in general and that staff will craft specific language for the commercial water extraction that still protects the resources and for which everyone is comfortable. Vice-Chair Garner asked if ground disturbance would be subject to archaeology. Musumeci replied yes.

D. Gruber asked if staff had a sense if the owner would be deterred if the Board did not approve the easement today. W. Musumeci responded that it may be an issue if the easement was to be recorded by the end of the calendar year and that retention of water rights was important to the landowner.

C. Mann observed that if the Board approved the offer today, staff has heard the Board's concerns and could let the Board know in December if those concerns were addressed. W. Musumeci explained that every Board approval was subject to mutual agreement by DHR and the landowner on the terms of the easement. If the negotiated terms differed, then it would be brought back to the Board.

M. Peters made a motion to approve the easement as presented, which motion was seconded by D. Gruber. The motion was approved unanimously.

## **2. Shiflett Tracts, Trevilian Station Battlefield, Louisa County**

**Property Owners:** Betty E. Shiflett and William H. Shiflett, under Contract to Civil War Trust

**Acres:** 70

The property includes non-historic buildings and improvements. The Civil War Trust (“CWT”) has negotiated an option contract with a 7-year holdover period for a residential house on Parcel 23-138 for the current owners. Grant funding has been sought from the American Battlefield Protection Program (ABPP) and Virginia Civil War Site Preservation Fund.

Staff recommended approval based on the Easement Acceptance Committee recommendation with the following conditions:

1. DHR reviews and approves the terms of the residential lease agreement prior to its execution to ensure that any rights conveyed via the lease do not conflict with the easement.
2. The lease for the residence on Parcel 23-138 does not extend past the seven (7) year period negotiated by the CWT.
3. Non-historic buildings and structures on the property shall be removed within two (2) years of the end of the lease period. Any change to the time frame for demolition or removal of existing buildings and structures as determined by the Board shall be negotiated in advance with DHR.
4. Rehabilitation or restoration of the landscape would be according to a written management plan incorporated directly or by reference into the deed of easement.
5. DHR staff documents the existing dwelling on Parcel 23-139, and presents it to DHR’s Architectural Evaluation Team for evaluation as to whether the building retains historic significance or integrity and therefore warrants protection as an historic resource in the deed of easement.

D. Gruber asked if the two-year demolition period was consistent with previous conditions set by the Board. W. Musumeci answered yes, but the seven -year lease was longer than what was typically negotiated by the CWT. G. Bearns observed that the shorter removal time was recommended given the longer lease period and that staff completed a management plan template for another project that communicated more clearly the expectations in advance of recordation of the easement.

C. Mann made a motion to approve the easement as presented, which motion was seconded by M. Peters. The motion was approved unanimously.

## **3. Baird IV Tract, Ream’s Station II Battlefield, Dinwiddie County**

**Property Owners:** Floyd W. Baird, Jr. and Rosemary Lester Baird, under contract to Civil War Trust

**Acres:** 9.42

The property serves as a residence and is also approved for commercial use and contains non-historic buildings and improvements. The Civil War Trust (“CWT”) has negotiated an option contract with a two-year holdover period for the current owners. Parcel 48-46G as shown on the 2007 plat of survey is heavily encumbered with existing rights-of-way and utility easements, including overheard power lines and an underground gas pipeline. Grant funding has been sought from the ABPP.

Staff recommended approval based on the Easement Acceptance Committee recommendation with the following conditions:

1. The easement only includes Parcel 48-47 (1.227 acres) and Parcel 48-48 (4.202 acres) as shown on the 2007 plat of survey, but does not include Parcel 48-46G (3.998 acres).
2. DHR reviews and approves the terms of any lease agreements prior to their execution to ensure that any rights conveyed via the lease do not conflict with the easement.
3. The lease for the existing buildings and structures does not extend past the two-year period negotiated by the CWT.
4. Non-historic buildings and structures on the property shall be removed within two years of the end of the lease period. Any change to the time frame for demolition or removal of existing buildings and structures as determined by the Board shall be negotiated in advance with DHR.
5. Rehabilitation or restoration of the landscape would be done according to a written management plan incorporated directly or by reference into the deed of easement.

Vice-Chair Garner asked for clarification on the acreage. W. Musumeci explained that by excluding the 3.998 acre parcel, the easement would incorporate roughly 5.2 acres and noted that the CWT indicated they would try to renegotiate the contract with the landowner based on the Easement Acceptance Committee recommendation.

C. Mann expressed concern about possible ground disturbance he recently observed on the property which was visible from the main road and noted heavy equipment was being used. W. Musumeci responded that staff had specifically asked the applicant if ground disturbance



had occurred on the property and was told no. C. Mann indicated that there appeared to be a lot of traffic and disturbance related to the business use of the property and that a site visit was warranted to confirm this. Chair Johnson inquired if the Board could add this to the list of conditions for approval. W. Musumeci replied yes or the Board could defer a vote until receipt of additional information and that there was no time sensitivity with this project. C. Mann asked if landowners would reconsider if the Board hesitated. W. Musumeci noted that the ABPP funding might be in jeopardy but the Baird family had negotiated other easement projects with the CWT. Chair Johnson asked if this could be moved to the December agenda. C. Mann was concerned the owner might pull out and did not want to defer to the December 2014 meeting.

C. Mann made motion to approve the easement as presented with investigation of the ground disturbance by staff, which motion was seconded by M. Peters. The motion was approved unanimously.

**4. Arlington Mansion Archaeological Site & Custis Tomb Site, Northampton County**

**Property Owner:** Arlington Foundation, Inc.

**Acres:** 7.47

The property is comprised of two discontinuous parcels and contains an archaeological site and Custis Tombs, both of which are listed on the Virginia Landmarks Register. The 7.3-acre Arlington Mansion Archaeological Site parcel was conveyed from the Association for the Preservation of Virginia Antiquities (APVA) to the current landowner in 1999 subject to deed restrictions and covenants.

Staff recommended approval based on the Easement Acceptance Committee recommendation with the following conditions:

1. Resolution with the APVA of the perpetual deed restrictions conveyed to APVA via the 1999 deed that transferred ownership of the Arlington Mansion Archaeological Site from APVA to the Arlington Foundation, Inc.
2. Two separate easements must be recorded because the Arlington Mansion Archaeological Site and Custis Tombs Tract are discontinuous parcels.

D. Gruber complimented the staff report that included information about water quality.

D. Gruber made motion to approve the easement as presented, which motion was seconded by C. Mann. The motion was approved unanimously.

**5. Komrowski Tract, Brandy Station Battlefield, Culpeper County**

**Property Owner:** Elizabeth A. Komrowski, Under Contract to Civil War Trust

**Acres:** 3.72

The property includes non-historic buildings and improvements. The Civil War Trust ("CWT") has negotiated an option contract with a holdover period of up to three years for the current owners. Grant funding has been sought from the ABPP.

Staff recommended approval based on the Easement Acceptance Committee recommendation with the following conditions:

1. DHR reviews and approves the terms of any lease agreements prior to their execution to ensure that any rights conveyed via the lease do not conflict with the easement.
2. The lease for the existing buildings and structures does not extend past the three-year period negotiated by the CWT.
3. Non-historic buildings and structures on the property shall be completely removed within two years of the end of the lease period. Any change to the time frame for demolition or removal of existing buildings and structures as determined by the Board shall be negotiated in advance with DHR.
4. Rehabilitation or restoration of the landscape would be according to a written management plan incorporated directly or by reference into the deed of easement.

Chair Johnson asked if plans for removal of the buildings were tentative. W. Musumeci noted that the Easement Acceptance Committee recommended removal within two years as a condition rather than the two to four years proposed by the CWT.

Vice-Chair Garner made motion to approve the easement as presented, which motion was seconded by C. Mann. The motion was approved unanimously.

**Easement Amendment for Consideration:**

G. Bearns presented the following easement assignment and amendment:

**1. Burlington, King William County (Assignment and Amendment)**

**Property Owners:** Virginia Outdoors Foundation; John Owen Gwathmey; Richard and Penny Kizer

In 1977, an easement was conveyed to the Board over this property which includes one late 18th to early 19th century manor house, outbuildings and approximately 782 acres. Grantor then conveyed a 10 acre lot in contradiction of that easement which did not permit subdivision. Grantor then further subdivided the property in his will in contradiction of the easement which led to two separate lawsuits being filed to resolve the issues created by that will. Grantor's grandson acquired the Burlington property, minus the 10 acre subdivided parcel. He executed an amendment in 1996 that updated the 1977 easement as it affected the larger Burlington property, but the owners of the 10 acre subdivided parcel did not participate in that 1996 amendment, leaving the parcel subject to the 1977 easement. In 2003, J.O. Gwathmey conveyed an easement to the Virginia Outdoors Foundation (VOF) over an adjacent property. In 2005, this same property owner executed a boundary line adjustment (BLA) with the new owners of the 10 acre lot, Richard and Penny Kizer. The BLA conveyed a 5 acre parcel to the Kizers in exchange for a 2.8 acre parcel that was part of the 10 acre subdivided parcel. That 2.8 acre parcel was added back to the larger Burlington property; however, it remains subject to the 1977 Board easement. As a result, the Kizers now own approximately 12 acres – approximately 7.2 acres of which is subject to the 1977 Board easement and approximately 5 acres of which is subject to the 2003 VOF easement. To resolve the situation, VOF has proposed to assign their easement as it affects the 5 acre parcel to the Board. Staff will then draft an amended easement that will encompass the restrictions in the 1977 Board easement and the restrictions in the 2003 VOF easement and this amended easement will apply to the entire 12 acre parcel. J.O. Gwathmey agreed to amend the 1996 amendment over Burlington to encompass the 2.8 acre parcel that was added back to Burlington as a result of the 2005 BLA. A Nature Conservancy easement also encroached on the Board's Burlington easement.

Vice-Chair Garner commented that the situation did not seem real and asked if anyone ever did a title search.

G. Bearns explained that the request for the Board's approval contained four parts: (1) Accept assignment of the 5-acre parcel subject to the VOF easement to the Board; (2) Authorize DHR staff to draft and execute an amended easement that will subject the 12-acre (Kizer) parcel to one easement; (3) Authorize DHR staff to draft and execute an amendment to the 1996 amended Burlington easement to include the 2.8 acres; and (4) Authorize DHR staff to enter into a written agreement with Nature Conservancy to comply with the Board's easement, including archaeological vegetative buffer language as necessary.

M. Peters made motion to approve the easement assignment and amendment as presented, which motion was seconded by A. Atkins-Spivey. The motion was approved unanimously.

#### **Roadway Easement for Reconsideration:**

G. Bearns presented the following proposed VDOT Roadway Easement:

**1. Fall Hill, City of Fredericksburg**

**Property Owners:** Mr. Barry Kefauver; Burns Estate

**Acres:** 22.95 acres, recorded April 1973; 12.769 acres recorded June 1973

Proposal for VDOT overlay easement over a portion of the two existing Fall Hill easement properties to accommodate widening and straightening of Fall Hill Road. This road widening project was previously reviewed and approved by the Board at its June 2013 meeting. The exact amount of acreage that will be impacted by the road widening and the temporary construction easement has changed slightly due to the fact that this project is being completed through VDOT's design-bid process.

Vice-Chair Garner asked if VDOT would pay to move the gates. G. Bearns confirmed VDOT would compensate the landowners.

Vice-Chair Garner made motion to approve the roadway easement as presented, which motion was seconded by M. Peters. The motion was approved unanimously.

Chair Johnson complimented G. Bearns' presentation for the Burlington property.

#### **Easement Program Policies:**

G. Bearns presented draft revisions and modifications to the following policies and noted that the Board would not be asked to vote on these revisions until the December 2014 meeting.

**1. Easement Program Policy #11: Appraisals**

Revision of existing policy to require submission of Appraisal Summary thirty days in advance of execution of the easement

**2. Easement Program Policy #5: Review of Applications for Work on Easement Properties**

Revision of existing policy to address changes to project review and approval procedures per revised easement template

Chair Johnson asked if there were any questions. There were none.

### **New Easements Recorded since the June 2014 HRB Meeting:**

W. Musumeci presented the following easements recorded since the June 2014 Board meeting.

1. **Carlton, Stafford County (VDOT Roadway Easement)**  
Date Recorded: 06/13/14  
Donor: Glenna Graves Shiflett
2. **Troilo Tract, Brandy Station Battlefield, Culpeper County**  
Date Recorded: 08/01/14  
Donor: Civil War Trust  
Acres: 56.48  
Grant Funding: American Battlefield Protection Program, Virginia Civil War Site Preservation Fund
3. **Hanger Mill, Augusta County (VDOT Roadway Easement)**  
Date Recorded: 08/20/14  
Donor: Robert L. Whitson
4. **Cub Run Farm, Port Republic Battlefield, Rockingham County**  
Date Recorded: 08/27/14  
Donor: Cub Run Farm, LC  
Acres: 424.076  
Grant Funding: Farm and Ranchland Protection Program, Virginia Civil War Site Preservation Fund, Transportation Enhancement
5. **Pear Valley, Northampton County**  
Date Recorded: 09/03/14  
Donor: Association for the Preservation of Virginia Antiquities, dba Preservation Virginia  
Acres: 1.42

W. Musumeci noted that there would be a Board Training session held on October 30<sup>th</sup>.

Chair Johnson asked if there were any questions. There were none.

Director Langan updated the Board on the proposed Island Farm easement, which will be co-held by the Town of Strasburg and the Shenandoah Valley Battlefields Foundation.

The meeting was adjourned at 3:07 p.m.

### **STATE REVIEW BOARD**

Chair Moore called the meeting to order at 1:00 in the Library at the Wilton House Museum for discussion and consideration of the Preliminary Information Applications (informal guidance session).

#### **State Review Board Members Present**

Dr. Elizabeth Moore, Chair  
Dr. Luranett Lee, Vice-Chair  
Joseph D. Lahendro  
John Salmon  
Dr. Carl Lounsbury  
Dr. Gabrielle M. Lanier

#### **Department of Historic Resources Staff Present**

David Edwards  
Lena McDonald  
Michael Pulice  
Pam Schenian  
Melina Bezirdjian  
Marc Wagner

**Guests (from sign-in sheet):** Marcus Pollard (Norfolk & Western Railroad Historic District; Exmore Commercial Historic District); Debra McClane (Lavalette House)

### **Preliminary Information Applications**

**The following proposals were *endorsed*, unless otherwise noted, with the following comments:**

**Northern Region.....presented by David Edwards**  
No PIFs to present.

**Tidewater Region.....presented by Pam Schenian**

1. Craddock, Accomack County, #001-0100, Criteria C and D

Mr. Lahendro said a nomination would have to provide a comparison of this property to similar properties in the vicinity in order to demonstrate its architectural significance. Chair Moore asked about the previous archaeological investigations. This information is not within the Archives file, but can be provided in a nomination. Dr. Lounsbury said the house appears to date to the early 19<sup>th</sup> century; the paneling and moldings are likely from the early 19<sup>th</sup> century. The arched second-story windows likely are not 18<sup>th</sup> century materials. Additional interior finishes appear to date from the early 20<sup>th</sup> century. Mr. Lahendro noted the wood peg shingles on the dwelling's roof. Additional research is needed to demonstrate the property's original construction and evolution over time, and to demonstrate how it meets Criterion D.

2. Exmore Commercial Historic District, Town of Exmore, Northampton County, #217-5001, Criteria A and C

Mr. Pollard noted that some historic railroad-related resources are extant. Mr. Lahendro asked if that was a key aspect of the district's historic significance, and Mr. Pollard said yes. Mr. Wagner asked about the Art Deco theatre. Mr. Pollard said it is vacant and has not been a theater for many years. Chair Moore asked why the period of significance doesn't begin in 1884 when the railroad was constructed. Mr. Pollard said the start date is based on the earliest extant historic building and may change based on additional research. Dr. Lanier asked if the railroad line is still active. Mr. Pollard said some commercial freight is still shipped on the tracks. Mr. Lounsbury asked about the historic Exmore Diner's location in relation to the district, and Mr. Pollard said it is separated from the commercial core and is beyond the outskirts of town, with non-contributing resources in between. Vice-Chair Lee asked about the end date of the period of significance. 1964 was when the Chesapeake Bay Bridge Tunnel was constructed, but 1968 was when Route 13 was completed. Mr. Pollard said 1964 was chosen because it was fifty years ago, but the end date may be changed to 1968 depending on how long the nomination preparation takes. Mr. Pollard asked if the period of significance start date should be based on the original construction of the rail line, founding of the town, or earliest extant resource. The board members recommended using the construction of the earliest extant physical resource with integrity as the basis for the start date.

3. Norfolk & Western Railroad Historic District, City of Norfolk, #122-5799, Criteria A and C

Mr. Salmon asked if any of the resources were still owned by the railroad company. Mr. Pollard said only the tracks are owned by Norfolk Southern. Chair Moore asked how many owners are in the district. Mr. Pollard said that information hasn't been compiled yet. Mr. Lahendro asked about the district's connection to increasing capacity for coal. Mr. Pollard said after the Pocahontas coalfield was discovered, a dedicated line was constructed between the coal field and Lambert's Point, and passed through the district.

**Western Region.....presented by Michael Pulice**

1. Boxerwood, Rockbridge County, #081-7144, Criterion C

Mr. Lahendro asked if there is documentation on why the Modern/Wrightian architectural style was chosen. Mr. Pulice said the family members may know, and that the design of Wright's Usonian houses was favored by the original owners. Dr. Lounsbury asked how common privately owned arboretums are and Mr. Pulice said they are rare in the Western Region. Mr. Lahendro asked if the landscape's design could be documented. Mr. Pulice said the current owner maintains the landscape as originally planned and have documentation on how the plan evolved over time. Chair Moore asked about the tatami mat pattern embedded in the concrete floor and suggested a photograph of it in the nomination would be good. Mr. Lahendro asked for a detailed site plan that shows the layout of the landscape, including plantings, paths, bridges, and other features. The nomination for Woods Hill was suggested as a possible model for this property's nomination. Mr. Salmon asked if any similar properties in Virginia are listed in the Registers; Mr. Edwards said the McCallum Moor in Chase City is probably the most similar.

2. Depot Square Historic District, Town of Abingdon, Washington County, #140-0038, Criteria A and C

Mr. Edwards said in 1981 the proposed boundaries were drawn to separate the depot area from the Town's main downtown historic district. Mr. Pulice noted the district has one of only three pre-Norfolk & Western depots in the Western region. Mr. Salmon asked if the Virginia Tech website for historic digital collections has information about the depot and Mr. Pulice said yes.

3. Lavalette House, Town of Gretna, Pittsylvania County, #227-5003, Criteria B and C

Historical research has provided documentation that the property's historic name is the Thomas Creasy House. "Lavalette House" is a name of more recent origin. Ms. McClane said she worked on the Downtown Gretna Commercial Historic District, during which time the Creasy House property owner asked about individual listing for his property because it is located in a residential part of Gretna. Mr. Lahendro asked about the Craftsman details. Ms. McClane said that material was added when the second I-house was added during the 1920s.

4. Tazewell Depot, Town of Tazewell, Tazewell County, #158-5052, Criteria A and C  
Mr. Lahendro noted that the PIF's statement of significance is lacking. The depot's historic use and a comparison of it to similar properties is needed in the nomination.

**Capital Region.....presented by Marc Wagner**

1. Averett School and Wharton Memorial Baptist Church and Cemetery, Mecklenburg County, #058-5127, Criteria A and C  
Mr. Lahendro asked about the school's second-story windows and Mr. Wagner said the windows are small to keep the space more private for the Masonic Lodge. Dr. Lanier and Mr. Lahendro noted that the church and cemetery warrant equal consideration with the school/Masonic Lodge. Mr. Salmon suggested a local historian who may be able to assist with researching and preparing the nomination. Dr. Lounsbury noted that the school appears to date to 1910-1915.

2. Norwood-Wingina Rural Historic District, Nelson County, #062-5135, Criteria A and C  
Mr. Lahendro asked about the district's historic boundary and how it relates to the river. Mr. Wagner explained that the boundary is closely based on the original Cabell land grant as well as natural physical barriers. Dr. Moore asked about the earliest buildings in the district. Dr. Lounsbury said one of them is Montezuma, a late 18<sup>th</sup> century house that is individually listed in the Registers.

**Chair Moore adjourned the SRB meeting at 2:45 p.m.**